

AMENDED IN ASSEMBLY JUNE 17, 2008
AMENDED IN ASSEMBLY MAY 28, 2008
AMENDED IN ASSEMBLY MARCH 6, 2008
AMENDED IN SENATE APRIL 24, 2007
AMENDED IN SENATE MARCH 29, 2007

SENATE BILL

No. 27

Introduced by Senator Simitian
(Principal coauthor: Assembly Member Wolk)

December 4, 2006

An act to add Section 8587.8 to the Government Code, to add Section 29759 to the Public Resources Code, and to amend Section 12995 of the Water Code, relating to the Sacramento-San Joaquin Delta.

LEGISLATIVE COUNSEL'S DIGEST

SB 27, as amended, Simitian. Sacramento-San Joaquin Delta Emergency Preparedness Act of 2008.

(1) Existing law prescribes the duties of the Office of Emergency Services in planning and coordinating disaster mitigation and response efforts in the state.

This bill would require the Office of Emergency Services to prepare an educational pamphlet for use by appropriate personnel in schools that maintain a kindergarten or any of grades 1 to 12, inclusive, to identify the risks posed by flooding due to levee failure in the Sacramento-San Joaquin Delta. The office would be required to distribute copies of the pamphlet to the governing board of each school district and community college district in the delta.

(2) Existing law, the Johnston-Baker-Andal-Boatwright Delta Protection Act of 1992 establishes the Delta Protection Commission and requires the commission to prepare and adopt a comprehensive long-term resource management plan for specified lands within the delta.

This bill would require the commission to implement the emergency management and preparation recommendations for near-term actions set forth in the Blue Ribbon Task Force Delta Vision Report, dated November 30, 2007.

(3) Existing law authorizes the Department of Water Resources and the Central Valley Flood Protection Board to cooperate with the United States Army Corps of Engineers to develop and implement ~~delta~~ *Sacramento-San Joaquin Delta* levee rehabilitation, improvement, and realignment, and to enhance the environment.

This bill would require the department to establish stockpiles of emergency response materials to fix breaches in delta levees on a delta island in a central and easily accessible location. The department would be required, by December 31, 2009, to adopt guidelines that allow *federal*, state, and local agencies with responsibility for repairing levee breaches, *or maintaining transportation or water supply delivery services in the delta*, to borrow from the stockpiles *to close levee breaches or channels upon a declaration of a state of emergency by the Governor*, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. This act shall be known, and may be cited, as the
2 Sacramento-San Joaquin Delta Emergency Preparedness Act of
3 2008.
4 SEC. 2. Section 8587.8 is added to the Government Code, to
5 read:
6 8587.8. (a) The Office of Emergency Services, in cooperation
7 with the State Department of Education, the Department of General
8 Services, and the Delta Protection Commission, shall prepare an
9 educational pamphlet for use by appropriate personnel in schools
10 that maintain a kindergarten or any of grades 1 to 12, inclusive, to
11 identify the risks posed by flooding due to levee failure in the
12 Sacramento-San Joaquin Delta.

1 (b) The office shall distribute copies of the pamphlet to the
2 governing board of each school district and community college
3 district in the delta. The office, upon request, shall also make the
4 pamphlet available to private elementary or secondary schools.

5 (c) The office, as soon as feasible, shall make the pamphlet
6 available to the public by electronic means, including, but not
7 limited to, the Internet.

8 SEC. 3. Section 29759 is added to the Public Resources Code,
9 to read:

10 29759. (a) The commission, in cooperation with the Office of
11 Emergency Services and the Department of Water Resources, shall
12 implement the emergency management and preparation
13 recommendations for near-term actions set forth in the Blue Ribbon
14 Task Force Delta Vision Report, dated November 30, 2007.

15 (b) The commission's implementation of the recommendations
16 shall include, but not be limited to, all of the following:

17 (1) The conduct of an all-hazards emergency response exercise
18 in the delta by March 31, 2009.

19 (2) The completion of a gap analysis of emergency management
20 planning structures that are not required by law for the Department
21 of Water Resources, Office of Emergency Services, or local
22 agencies.

23 (3) The development of a comprehensive delta emergency
24 preparedness and response regional strategic plan, using
25 information from the gap analysis, by December 31, 2010. The
26 plan shall include all of the following:

27 (A) A clear chain of command to be followed in an emergency
28 response in the delta region, including all relevant federal, state,
29 local, and nongovernmental agencies.

30 (B) Specific benchmarks for recommending and ordering
31 evacuations within the delta region.

32 (C) Lists of emergency response supplies to be stockpiled and
33 locations for those stockpiles. The stockpiles shall include caches
34 for citizen emergency response, as well as for emergency response
35 personnel.

36 (D) Recommendations to local governments, including all of
37 the following:

38 (i) Changes to building codes, such as requiring exits providing
39 access to a building's roof.

1 (ii) Public awareness campaigns, such as painting lamp posts
2 to show potential flood levels.

3 (iii) Guidelines for the development of regional evacuation
4 plans.

5 (E) Guidelines for adequate labor resources necessary to respond
6 to levee breaches, and appropriate division of those resources
7 between relevant governmental and nongovernmental agencies.

8 (F) Recommendations to state agencies, including both of the
9 following:

10 (i) Guidelines for contracts for the use of barges along the west
11 coast of the United States to be used for the movement of people
12 and supplies in an emergency.

13 (ii) Implementation of a boat search and rescue marshal program.

14 SEC. 4. Section 12995 of the Water Code is amended to read:

15 12995. (a) The Legislature hereby finds and declares both of
16 the following:

17 (1) There is an urgent need for rehabilitation and improvement
18 of delta levees, and the United States Army Corps of Engineers
19 has a crucial and continuing role in that work.

20 (2) The department and the board have been cooperating with
21 the United States Army Corps of Engineers in a feasibility study
22 for rehabilitation and improvement of the levees in the delta. That
23 feasibility study identified a federal interest in levee rehabilitation
24 and improvements due to benefits to navigation, commerce, the
25 environment, *water quality and water supply*, and flood damage
26 reduction.

27 (b) The department and the board may cooperate with the United
28 States Army Corps of Engineers to develop and implement delta
29 levee rehabilitation, improvement, and realignment, and to enhance
30 the environment.

31 (c) The department shall establish stockpiles of emergency
32 response materials to fix breaches in delta levees on a delta island
33 in a central and easily accessible location. The department, on or
34 before December 31, 2009, shall adopt guidelines that allow ~~state~~
35 *federal, state, and local agencies with responsibility for repairing*
36 *levee breaches, or maintaining transportation or water supply*
37 *delivery services in the delta*, to borrow from the stockpiles *for*
38 *the purpose of closing levee breaches or channels upon a*
39 *declaration of a state of emergency by the Governor*, subject to

- 1 replenishment of those materials borrowed at the borrowing
- 2 agency's expense within six months of that borrowing.

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